



Who does what

In Australia various Commonwealth, state and territory agencies have specific product safety responsibilities. At the Commonwealth level, while the Australian Competition and Consumer Commission enforces the Trade Practices Act, the Treasury is responsible for developing policy on the product safety provisions of the Act.

Other Commonwealth agencies are responsible for particular products. For example:

- Department of Transport and Regional Services is responsible for road safety and vehicle standards
- Food Standards Australia New Zealand for food safety and standards
- Therapeutic Goods Administration for medicine and medical devices
- National Registration Authority for agricultural and veterinary products
- electrical regulatory authorities are responsible for electrical safety and standards at the state level.

These agencies are responsible for regulating product safety for their particular group and the Commonwealth and state and territory consumer affairs or fair trading agencies look after the rest.

There are a few limitations on Trade Practices Act powers. For example the powers only apply to goods supplied in trade or commerce by a corporation or a non-incorporated body engaged in interstate trade or commerce. Therefore, for a national standard to cover all potential suppliers, the states and territories must pass similar or complementary legislation, including the power to declare mandatory standards and to ban goods.

Consumer affairs and fair trading agencies in each state and territory have primary responsibility for investigating individual complaints concerning unsafe goods. If no mandatory standard or ban applies either locally or under the Trade Practices Act, they will consider what, if any, action is needed to remedy the hazard. This might include negotiating with firms to withdraw or recall the product or, if necessary, they may recommend that their minister orders a ban.

These agencies' internet sites are listed on the next page. Links to them, and other related sites, can be found on the ACCC website. They contain a range of materials for consumers and suppliers.



When developing a new regulation, agencies work through the Ministerial Council on Consumer Affairs which consists of Commonwealth, state, territory and New Zealand ministers responsible for fair trading, consumer protection laws and credit laws. This council must approve the making of a new national standard or ban.

The ministers meet once a year, and there are also several sub-committees that meet throughout the year to discuss specific aspects of consumer protection.

Advising the ministers is the Standing Committee of Officials of Consumer Affairs (SCOCA), which consists of all chief executive officers of consumer protection agencies.



The Consumer Products Advisory Committee

This committee provides advice to the Ministerial Council on Consumer Affairs on consumer safety policy matters, ultimately feeding back to all Commonwealth, state and territory governments. It conducts reviews of Australian products safety standards, bans and recalls.

The membership of the committee includes officers responsible for product safety, product investigation and recall, product policy and standards. Members are from all

Commonwealth, state, territory and New Zealand consumer affairs agencies, including a representative from Standards Australia.

It has an ongoing program for safety of nursery products. This program has included introducing mandatory standards for baby walkers, cots and bunk beds. It also involves ongoing education programs for new parents through a range of publications and working with suppliers to improve the safety of the goods they sell.





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Showbag safety—national outcomes from state cooperation

example

Showbags can be a product safety minefield for small children.

State and territory fair trading agencies conduct annual inspections of the toys and novelties to be sold in showbags before each state and territory's annual shows. They take action to remove unsafe products and rectify any safety concerns.

Voluntary guidelines on the safety of toys and novelties in showbags were first implemented in 1992 to provide a benchmark against which the toys and novelties can be assessed for their safety before being supplied to

shows. However, agencies continue to find some problem products.

The Consumer Products Advisory Committee has recently revised the guidelines under the leadership of the Queensland Office of Fair Trading, in consultation with suppliers. These changes reflect the newly introduced Australian Toy Standard criteria.

In July 2003 the committee endorsed the revised guidelines to be phased in immediately with the aim of full voluntary compliance by suppliers for the 2004 national show circuit.

Commonwealth, state and territory consumer affairs/fair trading agencies

Department of Equity and Fair Trading Queensland	www.fairtrading.qld.gov.au
Competition and Consumer Policy Division of the Treasury	www.treasury.gov.au/content/consumer_affairs.asp
ACT Office of Fair Trading	www.fairtrading.act.gov.au
Department of Fair Trading (NSW)	www.fairtrading.nsw.gov.au
Consumer & Business Affairs Victoria	www.justice.vic.gov.au
Office of Consumer and Business Affairs (SA)	www.ocba.sa.gov.au/prodsafety.htm
Department of Consumer and Employment Protection (WA)	www.docep.wa.gov.au
Office of Consumer Affairs and Fair Trading (NT)	www.nt.gov.au/caft
Consumer Affairs & Fair Trading (Tas)	www.justice.tas.gov.au/ca

Overseas consumer affairs/fair trading agencies

Office of Fair Trading (UK)	www.offt.gov.uk
US Consumer Product Safety Commission	www.cpsc.gov
Ministry of Consumer Affairs (NZ)	www.consumer-ministry.govt.nz
Commerce Commission (NZ)	www.comcom.govt.nz

Other government regulators of interest

Foods Standards Australia New Zealand (FSANZ)	www.foodstandards.gov.au
Australian Transport Safety Bureau	www.atsb.gov.au
Therapeutic Goods Administration	www.health.gov.au/tga

Other related sites of interest

Royal Children's Hospital Safety Centre	www.rch.org.au/safetycentre
Product safety recalls	www.recalls.gov.au
National Consumer website	www.consumer.gov.au
Standards Australia	www.standards.com.au
Monash University Accident Research Centre	www.general.monash.edu.au/muarc
Kidsafe—The Child Accident Prevention Foundation of Australia	www.thegreenwebb.net.au/kidsafe